

Order

Michigan Supreme Court
Lansing, Michigan

July 23, 2008

Clifford W. Taylor,
Chief Justice

136016

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

DARRYL SCHINDLER,
Plaintiff-Appellee,

v

SC: 136016
COA: 279295
WCAC: 06-000084

ASPLUNDH TREE EXPERT COMPANY and
LUMBERMENS MUTUAL CASUALTY
COMPANY,

Defendants-Appellants,

and

RELIANCE NATIONAL INDEMNITY
COMPANY and MICHIGAN PROPERTY &
CASUALTY GUARANTY ASSOCIATION,
Defendants.

On order of the Court, the application for leave to appeal the January 31, 2008 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of the issue whether the Michigan Bureau of Worker's Compensation has jurisdiction over the controversy arising out of plaintiff's injury, MCL 418.845. The Court of Appeals shall address the remaining issues only if it determines that jurisdiction in Michigan is proper.

KELLY, J., would deny leave to appeal.



10716

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 23, 2008

Corbin R. Davis

Clerk